

# HOWNICKAN

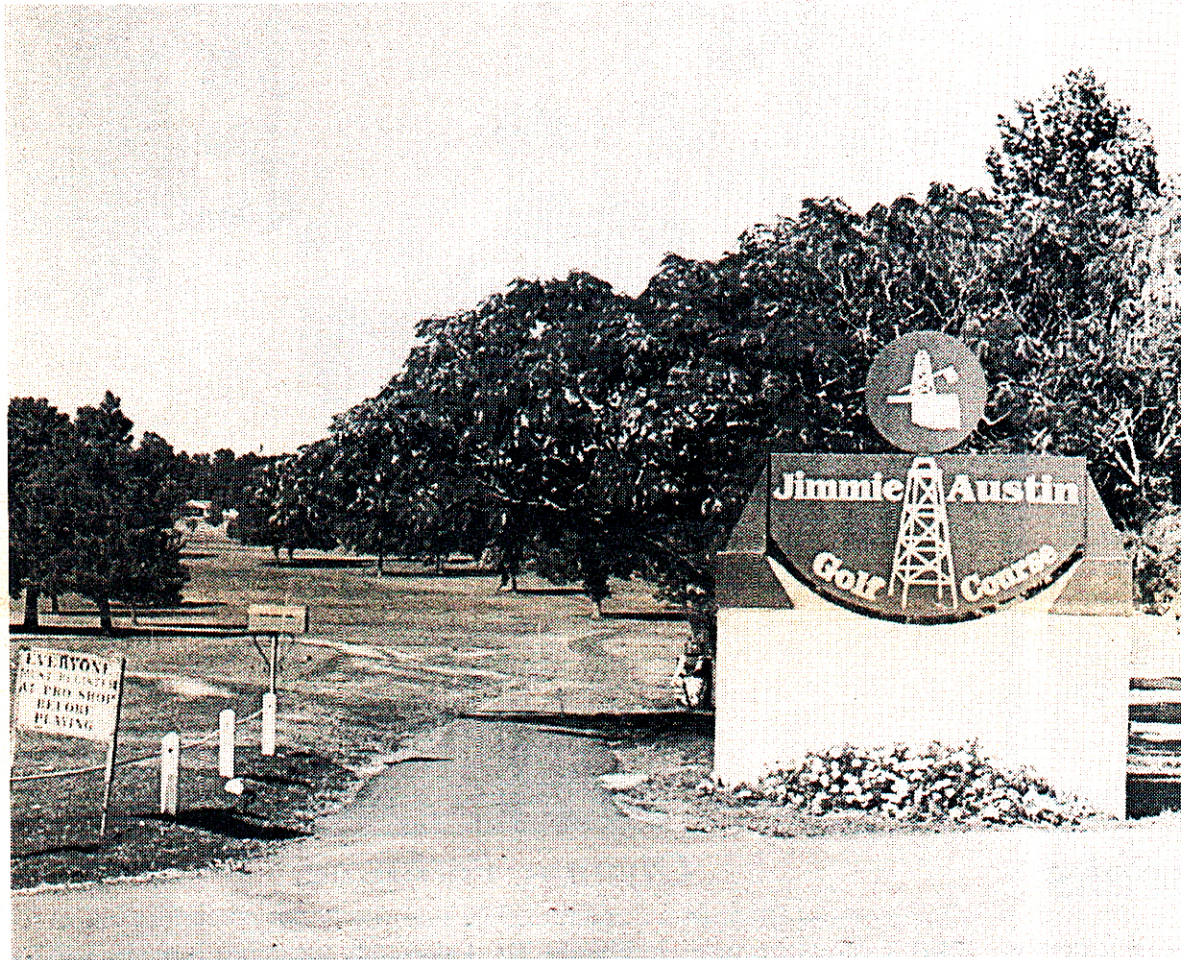
## PEOPLE OF THE FIRE



Vol. 18, No. 8

Citizen Potawatomi Nation

August 1996



## Tribe takes over Seminole golf course

Citizen Potawatomi Nation enterprises took a new turn in late July when the tribe signed a lease with the City of Seminole to operate the Jimmie Austin Golf Course.

The tribe took over operation of the course Aug. 1, after oilman Jimmie Austin, who had operated the course on a longterm lease arrangement, asked to be relieved of that obligation only a few weeks earlier. The tribe entered into negotiations with Seminole City Manager Randy Swinson which were concluded only hours

before the Aug. 1 deadline.

The Seminole City Council agreed to the terms of the lease at an emergency meeting July 30. "We started out a much higher figure," The Seminole Producer quoted tribal Chairman John A. Barrett Jr. as saying. "Randy is a tough negotiator. Nobody's going to get rich running this course."

The lease is for 35 months, and calls for the tribe to be paid a \$20,000 start-up fee, with \$1,500 paid monthly for an \$18,000 annual total. Monthly charges will be the same for the

second and third year, with an additional \$11,000 fee. The city had been paying Austin \$40,000 a year to run the course.

"This will cost us \$96,000, which will help. We're maxed out and operating the golf course is nothing we wanted to do," said Mayor McCreight.

The agreement calls for the tribe to collect sales tax and then make an in lieu of taxes payment to the city, which will then use that money to pay the sales tax to the state. The city

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## State courts attack tribes

In a decision in contradiction of all federal law precedent, the District Court of Oklahoma County recently ruled that the Citizen Potawatomi Nation can be sued for an act of commerce in the Oklahoma Court system.

Reacting to the decision, Chairman John Barrett pointed out that the commerce clause of the U.S. Constitution says Congress reserves the right to regulate commerce between the several states, foreign nations and Indian tribes. "The entire body of federal law precedent on which the Oklahoma judiciary should depend to guide their decisions was disregarded in the C&L Enterprises Inc. vs. Citizen Band Potawatomi Indian Tribe of Oklahoma case," Barrett said.

Barrett noted that Judge Donald Howard on Aug. 19 "expressed his disinterest in federal law precedent by his pronouncement from the bench, 'I have never understood or agreed with this Indian sovereignty.'" On hearing of the remark was made, Barrett expressed disbelief. "Indian law is federal law," he said. "It has been since the U.S. Constitution was written and the U.S. Supreme Court has confirmed that fact for nearly 200 years."

Barrett explained the history of the lawsuit this way:

"Without making this too complicated, the real issues here are that we're being sued by a man who was not damaged, lost no money and suffered no harm. The pure intent of this lawsuit appears to be to damage the concept of tribal sovereign immunity from suit except in cases of express waiver of immunity and then and only then can the tribe be sued in federal court.

"C&L was the successful bidder on the roof for First National Bank building when it was being built. Our architect, Don Price, gave us a standard form, the American Institute of Architects sub-contract form, to use on this project for all sub-contractors. The fine print of this contract says that disputes will be resolved by arbitration. It does not say arbitration in Oklahoma courts.

"The roof was supposed to be made out of foam. When the architect discovered that grackles (birds) had eaten holes in the foam roof on a previous project, he changed the specification and instructed us to get new bids for a rubber roof. We called C&L and asked them to bid on a new specification because of the problem. Contrary to the contractual terms, C&L got a bid from another company for the rubber roof because they don't do that kind of work. This bid was \$20,000 higher than the next bid we got for the rubber roof.

"Since C&L had not done their 'submissions of materials to be

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# TRIBAL TRACTS

## Walking on ...

### ROBERT MURPHY

Robert "Rob" H. Murphy, 32, of Bremerton, died July 10, 1996, in Everett. He was born Jan. 28, 1964, in Bremerton. He graduated from North Kitsap High School in 1981.

Mr. Murphy owned and operated Moment Frame Construction.

He is survived by a son, Preston, of Kingston; his father and stepmother, Robert W. and Gretchen Murphy of Hansville; his mother Mary Nichols of Kansas City, MO.; a brother, Pat Murphy of Everett; a sister Sondra Barnes of Kansas City MO.; and his grandparents, Hermand and Edith Anderson of Poulsbo and Charles and Ruth Nichols of Kansas City, MO.

Funeral liturgy was at St. Olaf's Catholic Church, Poulsbo.

### JOHN PATRICK "PAT" UMSCHIED

Pat Umscheid, age 46, of Denver, Colorado, died August 3, 1996, at the Hospice of Metro Denver in Aurora, CO.

Born July 8, 1950 in Wamego, KS., John Patrick Umscheid was a salesperson for Scott Rice Office Furniture Company. He graduated from Kansas University with a degree in sociology and served in the United States Army. He was a social worker and ski instructor for the Army. He attended Saint Thomas Seminary. He was a member of Dignity Denver and had served as a Dignity Board Member. He was a volunteer for the American Red Cross and the Colorado AIDS Project.

Survivors include Larry B. Smith, partner, of Denver, CO.; his father, Floyd Umscheid, of Leavenworth, KS; three brothers, Mike Umscheid, of Adi., CA; Sam Umscheid of Kansas City, KS and Paul Umscheid of Leavenworth; two sisters, Alice Bute and Mary K. Wiley, both of Leavenworth; 5 nieces and 1 nephew.

Contributions may be made to Project Angel Heart, 915 E. 9th Avenue, Denver, CO 80218 or Hospice of Metro Denver, 425 S. Cherry, Suite 700, Denver, CO 80222.



### Olympic Performer

Tribal member Stephanie Danielle Lewis had the honor of performing at the 1996 Summer Olympics in Atlanta, GA. Lewis, 15, was born July 16, 1981 in Gary, Indiana. She is the daughter of Joseph Tsotaddle Jr. of Shawnee, OK and Wanda (Lewis) Soliday of Hollytree, AL. Grandparents are Joseph Tsotaddle Sr. and Mavis Tsotaddle, both of Oklahoma, and Pete and Margrie Lewis of Alabama. She has three sisters, Shonna Rose Soliday and Debbie and Tammy Tsotaddle. Her American Indian name is Ge-Gueg Neem-A-Deeg (Thunder Dancer), given to her by her grandfather Peter Joseph Lewis. A Northern Shawl fancy dancer, her hobbies include dancing, horseback riding and reading.

## HOW-NI-KAN PEOPLE OF THE FIRE

The HowNiKan is published by the Business Committee of the Citizen Potawatomi Nation with offices at 1901 Gordon Cooper Drive, Shawnee, Oklahoma 74801.

The HowNiKan is mailed free to enrolled tribal members. Subscriptions to non-members are available for \$10 annually in the United States and \$12 for foreign countries.

The HowNiKan is a member of the Native American Journalists Association. Reprint permission is granted with publication credit to the HowNiKan and the Citizen Potawatomi Nation.

All letters and submissions become the property of the HowNiKan. Editorials and letters are subject to editing and must contain a traceable address. Final selection of material for publication is subject to approval by the Business Committee.

All correspondence should be directed to HowNiKan, 1901 Gordon Cooper Drive, Shawnee, OK. 74801. Address changes should be sent to Potawatomi Tribal Rolls, 1901 Gordon Cooper Drive, Shawnee, OK. 74801.

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J.D. Colbert  
HowNiKan Editor & Tribal Administrator  
Toll-Free Number: 1-800-880-9880

## Red Earth seeks curator/manager

Red Earth, Inc., a non-profit organization based in Oklahoma City, is currently seeking qualified candidates for the position of Curator/Facility Manager. Red Earth, Inc. oversees the day-to-day operations of the Red Earth Indian Center, a cultural facility housed in the Omniplex, and produces the annual Red Earth Native American Cultural Festival.

Candidates must possess a B.A. in museum studies or a related discipline and a minimum five years experience in museum management. The position requires excellent writing and communication skills, computer literacy and demonstrated experience in exhibition curation and handling of art objects. The Curator/Facility Manager will be responsible for daily operation and management of the museum facility. A background in American Indian art history is preferred.

Individuals interested in applying are asked to send resume, list of references and writing sample by Oct. 1, 1996 to: Executive Director, Red Earth, Inc. 2100 NE 52nd St., Oklahoma City, OK 73111. Red Earth, Inc. is an Equal Opportunity Employer. American Indian preferred. Phone calls will not be accepted.

## THOUGHT FOR TODAY

Provided by Steve Kime, tribal member, author and professional speaker from Tulsa, Oklahoma.

We recently have been "glued" to our television sets from the excitement of the recent Centennial Summer Olympic Games held in Atlanta, Georgia. We witnessed 21 days of competition with world class athletes "going for the gold."

We celebrated with the victors, and our hearts were saddened as we witnessed the disappointing defeats.

We all can't win the gold, but we can be winners by just participating. When it comes to the "games of life," we can be assured of a spot on the victor's stand when we participate and contribute to the lives of individuals around us. Our focus doesn't have to be on the "gold" but on participating in the "human" race. See you at the finish line!

And remember — to have a friend is to be one!



## Seminole golf course newest enterprise for Potawatomi tribe

Continued from page 1

will continue to pay for insurance, utilities and some maintenance.

Barrett told the City Council that the addition of the Seminole course will allow the tribe to book many more tournaments that they are able to accommodate at Fire Lake, which will also bring people into the city to spend money.

Seminole Producer publisher Ted Phillips praised the arrangement in his newspaper column. Noting that the city was left "in a weak negotiating position" because bidders on the lease had no records available, he said the city was fortunate the tribe was willing to bid. "The good news is the Citizen Potawatomi folks know how to run a first class golf course ... The Citizen Potawatomi Nation's leaders are successful business operators and good corporate citizens in both Tecumseh and Shawnee ... the newspaper welcomes the Citizen Potawatomi Nation to Seminole."

"We're pleased to be associated with the City of Seminole and honored the city entered into the lease agreement with the tribe to maintain the great reputation the course has," said Tribal Administrator J.D. Colbert. Colbert and golf course director Mike Wood helped negotiate the lease and have already discussed some changes.

"We will make some improvements," Colbert said, mentioning an expansion of the pro shop specifically. While the city officially named the course for Austin prior to the lease agreement, Colbert said golf carts and possibly signs will read "FireLake Seminole" to indicate the tribe's involvement.

### Grievance dismissed

The Citizen Potawatomi Nation Grievance Committee recently ruled that there was no misconduct in office and nothing to justify action for removal from office in an action filed by Leon Bruno after the recent tribal election.

Bruno alleged that John Barrett's statement that a father couldn't be on the Business Committee while the son was on the Grievance Committee constituted misconduct in office and said that Barrett should be removed.

Barrett published a retraction of the statement in the next edition of the HowNiKan, but Bruno filed the action anyway.

The HowNiKan welcomes contributions from its readers, especially letters to the editor and news of achievements of tribal members. Please mail your submission to Mary Farrell at tribal headquarters. **Deadline is the 5th of the month.**

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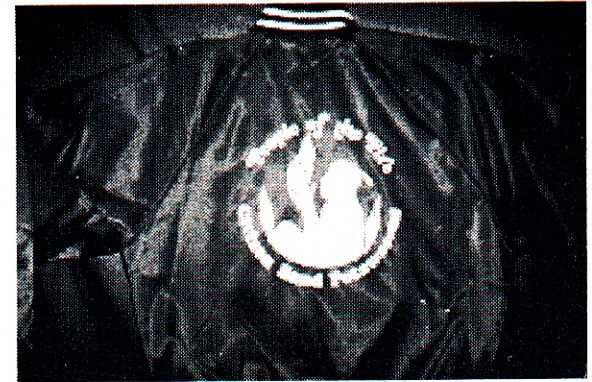
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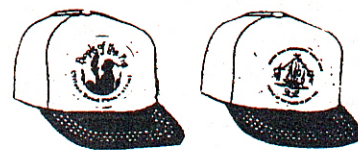


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# TRIBAL TRACTS

## Off-track betting compact hits snag in Legislature

After 13 months of negotiations with Kirk Kickingbird, special counsel for Oklahoma Gov. Frank Keating, and Robert Thompson, special counsel for the joint House-Senate Indian Affairs Committee, the Citizen Potawatomi Nation's off-track betting/pull tab compact was indefinitely delayed recently.

Gov. Keating had signed the compact along with tribal Chairman John Barrett, and approval by the Secretary of the Interior was to occur after review of the compact by the committee. In spite of the joint presence of counsel for both the governor and the committee, new issues emerged when Sen. Kelly Haney convened the committee absent a quorum in late July.

State Sen. Helen Cole asked for an audit of the pull tab books and another member requested a "definition of pull tabs," saying the definition must prevent slot machines. Thompson, as well as tribal attorney Michael Minnis, was in attendance.

Chairman John Barrett said he was surprised that new issues would be brought up in light of the fact that the special counsel for the committee attended all the negotiation meetings with the governor's representative over a year's period. "Sen. Cole's concern for an audit will be met very easily in that the Indian Gaming Regulatory act requires the tribe's independent auditors to submit an audit to federal authorities," Barrett said. "A copy will be sent to the state. As for the definition of pull tab, that is already contained in federal law — the Indian Gaming Regulatory Act."

Complicating the issue was the attendance of Oklahoma Assistant Attorney General Neal Leader, self-styled expert on Indian law in Attorney General Drew Edmondson's office. Leader, the author of the Attorney General's opinion on the off-track betting compact of the Miami tribe, posed a number of questions in direct contradiction on his own opinion and suggested to the committee that approval of the compact be delayed further by requesting another opinion from the Attorney General.

Tribal officials were informed by Sen. Kelly Haney, chairman of the committee, that another meeting of the committee would be unlikely until after the state's primary election Aug. 27. Tribal officials are acting to address the two questions of the members of the committee and to contact the Attorney General's office to state their case that another Attorney General's opinion is not necessary.

"I'm not saying that the state is negotiating in bad faith," Barrett said. "I'm just saying that this action has the result of causing the tribe's OTB operation to miss another full racing season and benefits the OTB operations licensed by the State of Oklahoma. I hope the tribe is not caught in the middle of a spitting match between Drew Edmondson and Frank Keating."

## DONATIONS

Tribal member Marie Louise Andersen of Atlanta, Georgia, has made a \$100 donation to the tribe in memory of her mother, Florence M. DeLorme, who died June 10, 1996, at the age of 86. Mrs. DeLorme was a resident of Chicago, Illinois, before retiring to Florida in 1971. Her mother was Marie Louise Langlois (nee Nourie) and her grandmother was Delilah Bourasseau.

"Please use this \$100 donation in her memory towards the medical/pharmacy needs of a Potawatomi tribe member," Mrs. Andersen wrote.

Making donations to the tribal newspaper, the HowNiKan, in recent weeks were:

Leonard E. Walter, CA - \$10  
Teresa Reed, TX - \$15  
Denise Boyce, TN - \$20  
Lucille Anderson, IL - \$25  
Melody Hemenway, MO - \$20  
James & Dorothy Coder, KS - \$25  
Joe Nocktonick, KS - \$25

## Tribal leaders urge Native voters to participate, educate others

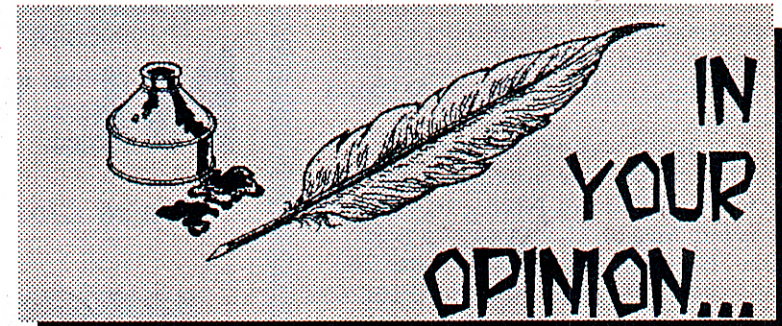
### To The Editor:

Representatives of the eight tribes of Ottawa County (Oklahoma) met on Wednesday, July 24, to discuss and plan for involvement in the economics and political affairs of the county.

Their first objective is to register all eligible Indian voters in the county and then urge them to vote.

The purpose of the registration drive is to have voters get involved in what goes on in our county. Our votes can have an important impact on election day when representatives are put in office by popular vote. It is far past the time when we should influence issues that are critical to us in our everyday life. We need to work together to help make Ottawa County the best county in Oklahoma.

Another objective is to advise the whole county and others, of the impact that Indians have on our economy. Do you know that the gross state product (GSP) of Ottawa County is 490 million dollars? Do you know that the federal



programs brought into the county by Indians about to 65 million of those dollars? Do you know that the eight tribes provide employment for more than 300 people? Do you know that all of those people pay income tax? Do you know that federal monies go into all public school in the county who have Indian students if they ask to be programmed for them? Do you know that the taxes that Indians pay support our education programs, highways, welfare programs, and all the state services that are provided down in Oklahoma City?

Do you know that the population of Oklahoma is 3,145,585 people? Do you know that the Indian popula-

tion is 252,420? Do you know that the gross state product is 50 billion dollars? Do you know that the Indian contribution to the state is 4 billion dollars?

In addition to these contributions are the support given to local fire departments, police departments, county sheriff, schools, ambulance services, sport activities, disaster programs, 4th of July celebrations, etc. We pay our way!

Our contribution to our state and county is notable and worthy of recognition by all citizens.

LET'S GET INVOLVED!

Chief Leaford Bearskin  
Wyandotte Tribe  
of Oklahoma

## New family member welcomed

Julie Womack-Kelly and Jason Kelly announce the birth of their son, Jackson Ross, on July 3, 1996, at Medical City Dallas Hospital in Dallas, TX.

Jackson Ross weighed nine pounds six ounces and measured 21 inches in length.

Grandparents are Jerry and Ginger Womack of Wanette, both members of the Citizen Potawatomi Nation, and J.W. and Kaye Kelly of Purcell. Great-grandfather is Boyd Moore of Purcell and great-great-grandparents are Mildred Upton, a Citizen Potawatomi Nation member of Shawnee, and Minnie Williams of Purcell.

Other great-grandparents include the late S.D. Jr. and Evelyn Womack (CPN member), and the late Pat and Floydie Hackett (CPN member), the late William and Lillie Mae Kelly and the late Lucille Moore.



Don't Forget!  
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## A Path Guide

MEDICINE CARD READINGS

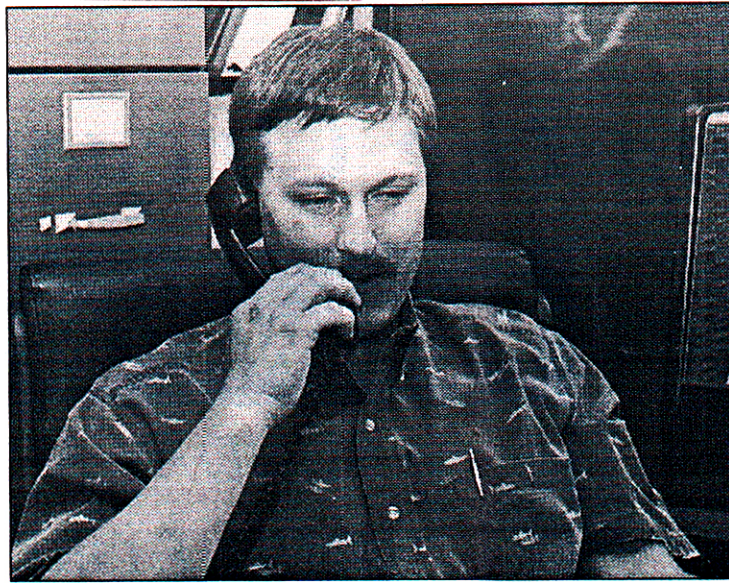
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### *Barnyard of animals, garden occupy his leisure time*

Brian Eddlemon has served as tribal Land Operations director since 1989 when the department was first contracted from the BIA. He holds an agricultural degree in animal science from the University of Oklahoma.

Eddlemon and wife Kendra live on a small acreage they share with daughter Alexandra, who is five. They raise cattle and chickens and own three horses, five dogs and one cat.

"I've got the whole barnyard," Eddlemon said.

To relax, Eddlemon likes to hunt and fish. He also grows a small garden.

"A bad one (garden), but we raise one," Eddlemon quipped.

## *Land Operations looks after tribal members' interests*

Land Operations is one of several services provided by staff of the Bureau of Indian Affairs programs office located in the south wing of the Citizen Potawatomi Nation administration building.

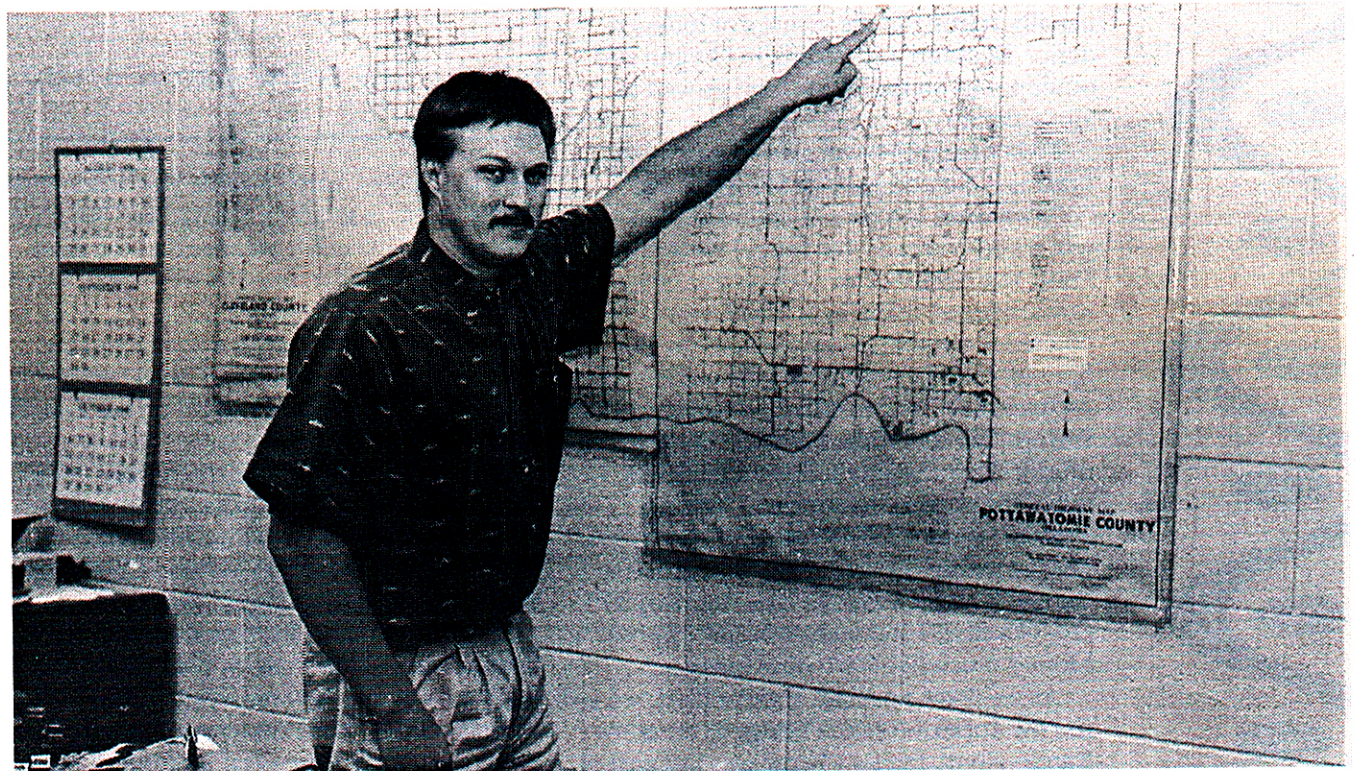
Brian Eddlemon is one-man operator of Land Operations. He supervises leasing contracts, renders land surveys, performs environmental impact inspections and investigates trespassing complaints on lands which were allotted to Potawatomis in 1887.

"I spend a lot of time in the field and I meet a lot of really interesting people with different personalities," Eddlemon said. "It's fun unless it gets really hot or really cold."

At one time lands distributed to Potawatomis by the federal government comprised hundreds of thousands of acres but as owners sold their allotments, total acreage began to dwindle. Much of the land was distributed by heirship but the United States government is holding several tracts of land in trust for the tribe.

"One of several advantages of the government holding the land in trust is it takes the land off the tax rolls," Eddlemon said.

Eddlemon manages 36 tracts of farming and grazing land which vary in size from two to 320 acres. Average tract size is 80 acres. One of his primary duties is to lease allotments for individual owners during a lease sale held each fall. Tract appraisals are performed and the bidder who matches or exceeds the appraisal is awarded rights to the land for five years.



*Eddlemon Points Out Tribal Land On Wall Map*

"Many of the owners are what we call absentee owners. I act on their behalf," Eddlemon said. "Also, throughout the year, I negotiate on the owners' behalf when I see it's in the owner's best interest."

After leasing the land, Eddlemon periodically checks the property to make sure it is properly cared for and is not misused. Inspections are performed several times each year, and if Eddlemon identifies a problem, he prescribes appropriate treatment. Sometime therapy involves planting pasture seed while other times treatment includes digging a pond, constructing a terrace or adding a

fence. In any case, the lessee is responsible for maintenance and upkeep of the property.

Eddlemon also makes oil and gas inspections to make sure oil companies are meeting land management requirements. In the case of a dry well, Eddlemon oversees the process of restoring the property to its original condition.

"I'm basically taking care of the land for its owners," he said.

Occasionally Eddlemon receives a complaint that someone is illegally hunting or cutting firewood on the property.

"If I find a valid trespass, I take corrective action. That means fines

and so on," Eddlemon said. "Usually I'll get the tribal police in on it. They're very good to help."

Prior to 1989, Land Operations was managed exclusively by the BIA which, at that time, serviced five tribes. Potawatomi Citizen Nation contracted the service from BIA so individual owners and individual lands could be better cared for.

The service is free to tribal members.



# Traveling the Oregon Trail —

## A SUNDAY AFTERNOON RIDE ON THE OREGON TRAIL

This narrative by Jim Coder was used as a script for an automobile tour arranged by the First United Methodist Church in July 1993. It includes some fascinating history of the Potawatomis.

This year we celebrate the 150th anniversary of the beginning of the Great Migration across the Oregon Trail, the largest unforced migration in recorded history. It is estimated that during the just over a quarter of a century the Trail was used, 35,000 emigrants packed their food and belongings in a 10 x 4 foot wagon and walked over 2,000 miles across the western half of the continent, usually starting in the vicinity of Independence, Missouri and ending in Oregon and other points on the West Coast as well as along the way.

Today we will travel a small part of the Trail as it crossed parts of Shawnee and Pottawatomie counties (Kansas). At times we will travel on roads that follow the actual Trail. You probably have done this other times without realizing it. The Oregon Trail entered Shawnee County west of the Big Springs campground near mile marker 189 on Interstate 70 (Turnpike). Southwest of the springs, the trail forked and the northern or original fork roughly followed Highway 40 into Topeka, and the southern fork, an alternate route used in 1849 and later years, headed southwest and entered Topeka from the south about 1 mile east of Highway #75 (Topeka Blvd.) and went west past Burnett's Mound much like I-470 does today.

As we drive north on Topeka Blvd. we will use the Topeka Avenue bridge to cross the Kansas River. Papan's Ferry was just east of this bridge. The travelers on the original Trail crossed Shunganunga Creek near the south side of Ripley Park (there is a marker at Lafayette School, 4th and California) and then headed west to cross the river on Papan's Ferry.

Papan's Ferry was started in 1842 by three French-Canadian brothers, Louis, Joseph and Ahcan Papan, who married three sisters whose mother was Kansa (Kaw) Indian according to historical records. However, on the 1863 Potawatomi Indian Roll, Etienna Papan, male, age 14, is listed as a Potawatomi Indian. It is possible that a Papan married a Potawatomi after that group of Indians were removed to this place. The Papan families lived on their farms on the north side of the Kansas River where they operated the ferry and sold provisions to travelers.

The Papan's boat was guided across the river in the early years by men who pushed it

## POTAWATOMI SCRAPBOOK

### A SUNDAY AFTERNOON RIDE ON THE OREGON TRAIL

*This narrative by tribal member Jim Coder was used as a script for an automobile tour in July 1993. It includes some fascinating history of the Potawatomis.*

with long poles. Later, a cable was suspended across the river to act as a guide and the boat was aligned in such a manner that the river current propelled it. Indians were often hired to swim and lead livestock across the river at a ford. When traffic became heavy and the lines of emigrants waiting to cross became long, other ferries were started on the Kansas River.

While camped near the river, some early emigrants visited two Kansa Indian villages, a trading post, and a Methodist mission for the Kansa, all located on Mission Creek eight miles upstream from Papan's Ferry.

The Kansa (Kaw) Indians were in this area from about 1830 to 1846. In 1847, the Kansa were moved to a new reservation near Council Grove. The Potawatomi Indians were then removed from several locations including Linn County, Kansas; Platte County, Missouri; and Council Bluffs, Iowa; to a reserve established for them along both sides of the Kansas River. In 1848, the Potawatomi established two villages. One was at Union Town, near present day Willard, across the river south from Rossville which we will pass through. The other was the village of Indianola located northwest of Topeka on the banks of Soldier Creek.

The southern branch of the Oregon Trail separated from the original Trail near Big Springs (east of Topeka on hwy #40) and roughly followed present-day I-470 past Burnett's Mound named for Abram Burnett, a Potawatomi Indian.

The 1863 Potawatomi Tribal Roll contains the name of Abram B. Burnett, Chief, male age 45. Potawatomi history tells that William Burnett, trader, a native of New Jersey, moved to the St. Joseph valley in present-day

southern Michigan at the close of the American Revolution (1790's) and married Kokima, a Potawatomi Chief's daughter. Abram, for whom the mound is named, was their child.

The southern branch of the Oregon Trail continued on past Burnett's Mound to present-day I-70 and on to Valencia Road, and then turned northwest toward Union Town (present-day Willard located five miles south of Rossville). After Burnett Mound, the next landmark on the trail is the Baptist Manual Training School for the Potawatomis located on the grounds of the Kansas State Historical Society Museum. The Trail crossed the river at Union Town on a ferry. It is possible today to see Trail ruts near here in the state-owned Green Memorial Wildlife Area located on NW 17th east of Willard. Due to a cholera outbreak, Union Town, which in 1850 had about fifty log cabins and a population of 300 or more, mostly Indians, was abandoned.

Today we will follow the northern branch of the Trail which is the original one. As we drive west on Highway #24 past the Goodyear plant, we are near the other Potawatomi village established in this area. Old Indianola Road runs north just west of the Goodyear plant to the banks of Soldier Creek where the Potawatomi village of Indianola was situated. Chief Aptakisis (Half Day) lived here.

In a treaty signed at Chicago in September, 1833, the Potawatomis relinquished all their land east of the Mississippi River. More than 6,000 Indians assembled for the Chicago meeting. Among them was Chief Aptakisis (Half Day) from the Fox River who spoke for the tribesmen. He informed the



# through Potawatomi history

commissioners that the Potawatomi had no intention for exchanging their lands along the western shore of Lake Michigan for unknown areas in the west. Claiming that the tribesmen had assembled only to receive their annuities, Aptakisis (Half Day) requested that the payment be made so that the Indians could return to their villages and harvest their corn.

The treaty was finally signed by 120 Indians. Half Day was not among the signers, but he was eventually removed to Indianola, lived and died here. He is buried near NW 39th between Green Hills and Button roads. The creek that runs to the south into Soldier Creek bears his name as does a cemetery just west of the community of Elmont. Half Day Methodist Church became the Pleasant Hill and Elmont United Methodist Churches of today.

Once the emigrants had crossed the Kansas River at Papan's Ferry, on the original Oregon Trail, they went west along the north side of the river as we are today. The Trail followed Highway #24 to Menoken, (Menoken Road is just west of the Payless Shoes shipping facility), veered southwest for three miles and then turned northwest into Silver Lake. It then followed the north side of Highway #24 as we are doing to Rossville. The two trails joined in this vicinity and continued on into St. Marys.

As this narrative indicates, the Potawatomi played a considerable role in Oregon Trail history and settlement in this area. One Potawatomi, Louis Vieux, built a bridge on the Vermillion River and charged the emigrants to cross it. We will stop at this site later in our journey today.

Another interesting involvement of the Potawatomis has to do with the Hartford, a steamboat that brought settlers up the Kansas River to establish the town of Manhattan. An emigration company, the Cincinnati and Kansas Land Co., was organized in 1854 to bring settlers to Kansas. The next year it bought for \$7,000 a three year-old light-draft sternwheeler, the Hartford, which had been built at Monogahela. The boat had a hull 146 feet long by 25 feet wide, and a 4-foot deep hold capable of carrying 143 tons of cargo.

The Hartford, with Captain David Millard in command, embarked April 26, 1855, from Cincinnati for the intended site of the new town of Manhattan, at the juncture of the Smoky Hill and Republican rivers (where Junction City now stands).

By May 12, the Hartford arrived at the Port of Kansas and found the river falling and remained in port until May 20 when the river began rising. The Kaw was flowing five to seven feet deep at four or five miles an hour when the Hartford began pushing upstream toward the Manhattan site, 243 river miles away.

Indians watched their progress from their doorways. Black walnut, oak and hackberry trees lined the banks of the river and supplied wood to fuel the boat's engines. This source was supplemented by cord-wood from Indian woodyards eight miles below Lawrence and at St. Mary's Mission where we will stop in a little while. The Hartford reached the Lawrence levee May 21. There, officials of the Cincinnati and Kansas Land Co. rejected an offer to unload and join the New England Aid Society settlers who planned to settle in Boston, later named Manhattan.

The Hartford continued upstream and arrived near the little settlement of Boston, near Blue Hill (also known as "K Hill" at the southeast edge of what is now Manhattan), on June 1 and ran aground. It ran hard aground on June 3 a mile beyond the mouth of the Blue River, still 30 miles from its destination, the proposed town site of Manhattan. While they awaited a rise in the river, the boat's passengers were persuaded by the Bostonians to abandon their plans and join them in their settlement. The Hartford passengers stipulated as part of the agreement that the name of the town had to be changed from Boston to Manhattan.

A rise in water freed the boat on July 1, and Millard brought the boat down the Kansas to the mouth of the Blue River to

overhauled her, repainting and cleaning boilers. The end came on October 10. Some Potawatomis came to the boat demanding whiskey. The boat's clerks refused the request and kicked the Indians off the boat. A few minutes later, hay on the riverbanks began burning and the fire spread to the hay on the Hartford's deck, eventually consuming the boat.

Later, in an unsuccessful salvage attempt, the boat's engines and machinery were buried for safekeeping on the banks of the Kaw. One boiler was left on the bank to be picked up later, and the second hauled to Lawrence and put to use in a steam-powered sawmill. One two-to-three ton rocker shaft was sold in Topeka. The equipment left on the river bank never was recovered.

Since the Hartford was the only steamboat to die on the Kaw, the only known steamboat artifacts along the river came from that boat. They were the roof bell and the smaller engine room bell.

The roof bell was acquired for the Methodist congregation that had been organized aboard the Hartford. It hung in the Manhattan Methodist Church from 1858 to 1938 and now hangs above the lobby of the Riley County Museum.

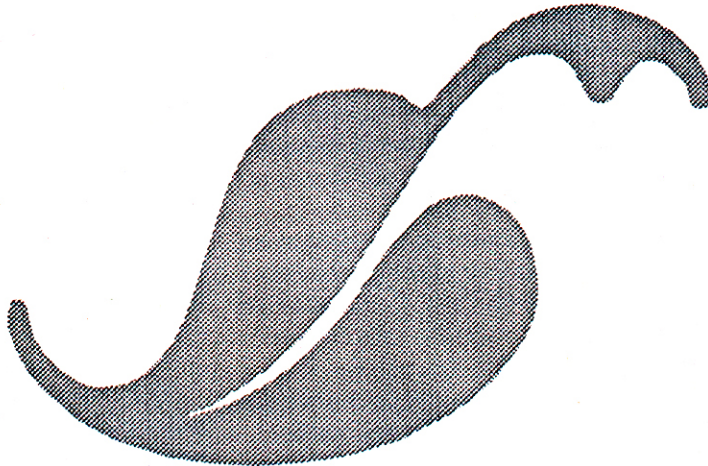
And, now, back to our journey today on the Oregon Trail. West of Rossville, near St. Marys, at the extreme western edge of Shawnee County (just beyond the KDOT scales house on the left or south side of the highway) we will cross the creek named Bourbonnais Creek. This creek is named after the ancestors of the author of this narrative. Just which ancestor is not known by this writer.

Francis Bourbonnais, a French-Canadian born in 1790, married Cateche, a Potawatomi Indian woman, and lived among the Potawatomis in the Great Lakes region in what is now Ohio. One of their children was Peter Bourbonnais, who married Sarah Holcomb of Welsh descent whose ancestors came on the ship "Mary and John" which landed at Plymouth soon after the Mayflower.

One of Peter Bourbonnais and Sarah Holcomb's daughters, Mary Margaret, married R.W. Dike. Mary Margaret Bourbonnais and Reason Wilson Dike were the parents of my grandmother, Effie Mae Coder. This makes the author 1/32 Potawatomi Indian. My name is on the roll of the Citizen Potawatomi Nation in Shawnee, Oklahoma.

It may be of interest to note that a document in the National Archives states: On the 14th day of October A.D. 1833, the date of the

Continued, next page



unload cargo. He then sailed back east downstream.

Near St. Mary's Mission the boat again was grounded, this time permanently. During the long wait for a rise, Millard bought a cow and hay from the Potawatomis for fresh milk and for weeks the boat crew worked at the boat,



# Struggle to survive marks Potav

Continued from previous page

sale thereof of land in our said county granted to Cateche Bourbonnais, wife of Francis Bourbonnais Sr. at the Treaty of Camp Tippecanoe on the 20th day of October A.D. 1832. Said section of land being located at or near Soldier Village of the county aforesaid ... Will County, Illinois Circuit Court.

This may explain the name given to present day Soldier Creek and the town of Soldier in as much as some of the Potawatomi came into the area from a place called Soldier Village. It might be added that while the author does not have documentation, he has been told that the first mayor of the city of Detroit, Michigan was named Bourbonnais.

As we enter St. Marys we will see on our right the historic St. Mary's College. The city and the college take their name for St. Mary's Catholic Mission founded here by the Jesuits in 1848 for the Potawatomi Indians. These missionaries since 1838 had lived with a part of the tribe that had been removed to land in eastern Kansas along the Osage or Marias des Cynes River. The Jesuits accompanied this group of Potawatomi when the tribe was consolidated along the Kansas River. A manual labor school was operated at the mission until 1871. It was a boarding school and sometimes had as many as 100 Indian children (mostly mixed bloods) enrolled, but most frequently had a much smaller enrollment. From this developed St. Mary's College, chartered in 1891. In 1931 the college became a Jesuit seminary. It is now the worship center and school for a "splinter" group of Catholics who use the Latin mass.

Built of logs in 1849, the cathedral here was the first cathedral between the Missouri River and the Rocky Mountains. Charles Curtis, Topekan, part Kaw Indian and vice president of the United States (1929-33), was baptized in this parish on April 15, 1860. The St. Mary's Mission was an important stopping point on the Oregon Trail.

At the west edge of the St. Mary's grounds, we turn north (right) on first Street and drive to Mission Street in the town of St. Marys. Just east of the intersection is the historic Indian Pay Station. An Indian agency for the Potawatomi was established at St. Mary's Mission in 1857. (Note that the name of the tribe is spelled differently than the name of the county and the name of the town does not have an apostrophe as does the mission.) In accordance with the terms of the Treaty of 1861, a payment to the Potawatomis was made here on October 29, 1870.

Such annuity payments had been made to the Potawatomi numerous times at a variety of places through the years. Most of the treaties signed relinquishing Indian lands

provided for a certain amount of trade goods to be distributed among the Indians at the time and then cash payments to be made annually over a period of years, sometimes 20 years. The significance of this small building is simply that a payment was made here. These payments were one reason for establishing Tribal Rolls. The difficulty was that Indian names were often not correctly translated to English and the degree of blood was often determined by the agents on the basis of the shade of the Indian's skin color — the darker ones were full-bloods, the lighter ones were listed as mixed bloods or a certain degree Indian.

You will notice that some tombstones have been placed for display on the south side of the pay station. One of these has on it the name of Francis Bourbonnais Jr. This prompts me to add another note pertaining to Francis Bourbonnais Sr.

After fathering five children (Catherine, Peter, Rozette or Ozette, Antoine and Washington) with Cateche, the Potawatomi woman, Francis Bourbonnais Sr. fathered Francis Bourbonnais Jr. with a Kickapoo woman. Francis Bourbonnais Jr. was born about 1824 in Pottawatomie County, Iowa. He married Martona, an Indian woman, but our records do not indicate her tribe. Perhaps she was Potawatomi in as much as Francis Jr.'s tombstone is at St. Mary's, for neither Francis Bourbonnais Sr. or Jr. is mentioned in the 1833 treaty and are not on the rolls as being Potawatomis.

Francis Bourbonnais Jr. and Martona had a daughter, Maw-tw-no, born about 1845 in Iowa according to a family geneology study. But, the writer of this narrative cannot locate her name on the 1863 Tribal Roll. There are Bourbonnais on the roll. Name #63 is Helen Bourbonnais, female, age 16; #591 is Baptiste Bourbonnais, male, age 14; and #1479 is Zozette (corrected to Josette) Bourbonnais, female with no age given. None of these are tied to a family by a reference number as is generally the case on the roll.

Another rather interesting sidelight to the Bourbonnais story is that told by Mrs. Etta Paulson of Huntington Park, California. She tells that Sarah Holcomb was traveling with her family in about 1836 through the Iowa Territory when she was taken by the Indians. Her father, Thomas Holcomb, her mother, she and her three brothers (Will, Frank and Thomas Jr.) were on their way to Kansas. As they camped one evening, Sarah was sent to gather firewood and never returned. After searching several days without finding her, the family went on its way.

Sarah had been taken by the Indians and later was married according to Indian

tradition to Peter Bourbonnais, the son of Francis Sr. and Cateche. Two daughters were born to them, Catherine Elizabeth (June 26, 1883) and Mary Margaret (April 27, 1840) both born at Council Bluffs, Iowa.

About 1840, a Catholic priest was traveling by horseback among the Indian tribes. He saw Sarah and her small daughters. She wasn't happy there and asked him to search for her family in Kansas. He bargained with the Indians for her release and they agreed to do so for six ponies. The priest knew a man across the Missouri river in Omaha, Nebraska named Peter Harnois who was a U.S. government blacksmith among the Otoe, Omaha and Pawnee Indians. He asked Harnois for the six ponies, and receiving them, traded the ponies

for Sarah and her children. He took the three of them to Peter Harnois and asked him to look after them until he found the family.

About a year later, the priest returned and told Sarah that he had located her family in Kansas but they refused to accept her back. This probably was because she had been with the Indians and her children would be of mixed blood. Subsequently, Peter Harnois asked the priest to marry Sarah and him, which he did in 1841.

This story of how Sarah Holcomb was taken by the Indians was not accepted as being true by all of Mary Margaret Bourbonnais Dike's children. Mrs. Paulson who told it is the granddaughter of John, the second son of Sarah and Peter Harnois. She reported that her father had told her this story many times.

It is known that Peter and Sarah Bourbonnais Harnois continued to live



# Potawami journey through the years

among the Indians. Four children were born to them in the Omaha area. About 1849, they moved to St. Joseph, Missouri, where four more children were born to them. Peter built and they operated the first hotel in St. Joseph, "The Farmer's House." He also had a blacksmith shop there. She died there in 1889 and he in 1894.

It is also known that before her marriage, Mary Margaret always lived with her mother, Sarah. It is also known that her sister, Catherine, later lived on the reservation with their father, Peter Bourbonnais. She learned the Indian language and taught school on the reservation. When she married she lived

was never too far to water and grazing for the animals. It is thought that it followed the base of the hills here because land nearer the river was marshy and it would be too easy to get wagons stuck.

As we are going along Oregon trail Road, let me tell you some more about the Potawatomi Indians. The first European account of the Potawatomi was reported during the summer of 1615, by a party of Frenchmen led by Samuel de Champlain who made contact with the Algonquin-speaking peoples inhabiting the lower peninsula of Michigan. Among the Algonquin tribes were a people whom the Chippewas of the Sault Santa Marie called "people of the place of the fire," or Potawatomink.

Potawatomi tradition states that the Ottawas, Chippewas, and Potawatomis originally were one tribe, part of the great wave of Algonquin-speaking peoples who entered the Great Lakes region from the north and east. Chippewa legends suggest that the three tribes separated no later than the 16th century. The Ottawas remained at the Straits of Mackinac, the Chippewa migrated to the north and west, and the Potawatomi moved down the eastern shore of Lake Michigan. Since the Potawatomi continued to keep the council fire of the originally united tribes, they received their name, "Keepers of The Fire."

The Potawatomi were not a nomadic tribe as were some plains Indians. They lived in semi-permanent settlements of dome-shaped wigwams rather than the tepees often pictured in films. They were not farmers but they were horticulturalists. They grew corn and pumpkins, fished in nearby streams, hunted neighboring regions for elk, deer, beaver, and bison, and trapped for furs. In the winter the villagers split into smaller bands which scoured the region for food. Both men and women took part in these hunting parties, establishing small temporary camps as bases for their hunting activities.

We interrupt the story of the Potawatomis to point out some things you may see along here. Seven miles west of St. Marys there is a stop sign for Lost Creek Road. To the left you see the water tower for the town of Belvue. Here is where the writer was once principal of the elementary school. His wife Dorothy, who then was his girl friend, coached the girls' basketball team and the writer coached the boys. To the right, the road leads to the KPL Jeffrey Energy Center near Emmett.

A little more Potawatomi history is interspersed here. After 1650 a series of Indian wars forced the Potawatomi to move to the Green Bay, Wisconsin area. About 1668, Jesuit missionaries arrived in the Green

Bay area and erected a church near a large Potawatomi village. It was the mission of Saint Francis Xavier. In 1671, the Potawatomis along with other tribes in the area acknowledged the authority of the French king and French claim to the vast interior of North America. The Potawatomi, the most populous tribe in the region, were brave warriors and joined the French in fighting the Iroquois and other Indian tribes in battles to control the fur trade.

In the 1690s Potawatomi villages spread south from Green Bay along the western shore of Lake Michigan and some moved back to their ancestral villages in Michigan near the St. Joseph River and present day Milwaukee, Wisconsin. By 1718, the Potawatomi were the most populous tribe at Detroit. A French military post established near there attracted a number of French traders who settled among the Potawatomi villages, marrying Potawatomi women and intensifying the Potawatomi-French relationship. We will interrupt the story of the Potawatomi to note some things along the Trail here.

About two miles west of Lost Creek Road, Oregon, Trail Road turns north (right) for a very short distance, then west again. The stone house on the right side of the road at the curve is the home of a cousin of the writer, Ann Bahner. Over to your left you can see a long shed and silo in the distance. This is the farm of George Howard (Bud) Peddicord, a cousin of the writer of this narrative. Beyond that, to the west, you see a silo and barn belonging to yet another of the writer's cousins, Leo Peddicord. Leo's farm is the "home place" of Reason Wilson Dike, who married a part-Potawatomi woman named Mary Margaret Bourbonnais in Indiana. They came to Kansas in a covered wagon to Louisville, Kansas, and built a log cabin on land allotted to Mary, she being of the Wabash or Mission Band of Potawatomi who wanted individually owned land rather than life on a reservation.

near Shawnee, Oklahoma. No other information is available about Mary Margaret except that she married R. W. Dike and they moved from Indiana to Kentucky in 1859. Then after their first child was born, they moved to her allotment near Louisville, Kansas.

We will turn around after viewing the Indian Pay Station and go west on Mission Street to North Seventh Street, then two blocks north (right) to Durink Street. We will pass the St. Marys United Methodist Church. At Durink, turn west (left) and drive out of town. At the town edge Durink Street becomes Oregon Trail Road. This road very closely follows the original Trail. Two miles west of St. Marys, Oregon Trail Road goes north (to the right) about an eighth of a mile, then turns west (left) again. Watch the signs.

The Oregon Trail was developed so it

*There's more to come — about  
Louis Vieux, the Wamegos, the  
move to Oklahoma and more.*

*Watch for more of this interesting  
article in a future edition of the  
HowNiKan.*





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# REGIONAL REPORTS

## Colorado

**Penny Bishop**

**Bo-sho Ni-kan'je (Hello Friends),**

My heavens, here it is mid-August. Where has the summer gone? I've noticed that the mountain air is a little crisper in the mornings and that in the high country the trees are getting a yellow tinge. Fall and Indian Summer are just around the corner.

Our school starts August 22. The school supply list came in the mail yesterday. I think I join the ranks of parents everywhere who are not ready for the summer to be over, BUT who are ready for the kids to be back in school.

I missed getting July's article in the paper. I was doing some tribal research and before I knew it the deadline date had come and gone. I was still trying to get caught up, after getting home from General Council. When I got home my answering machine was exploding with messages; some were unretrievable. If you've called and not gotten a return call, PLEASE call back.

Once again, it was a privilege and an honor for me to attend General Council and the Pow-Wow. I've been in Oklahoma many times during Council and Pow-Wow. However, I must confess that I've only been to General Council meeting twice. The first time was in 1995 as a tribal member. This year I attended as regional representative. Once again I found the council meeting to be both interesting and informative.

It was fun to get to meet my fellow representatives, and everyone who works at the tribal office, and once and for all be able to attach a name with a face. I certainly felt a stronger bond with everyone.

As you'll see in your July HowNiKan,

being in Shawnee the last weekend in June is a week of richness for everyone. From the heritage activities through the health screening, council meeting, language sessions, gourd dancing, contest pow-wow, finishing with the worship services on Sunday, it's an experience you'll not soon forget. All tribal members should go just once!

Kudos to Esther Lowden and her pow-wow committee for their fine work. Also, to Norman Kiker for his work with the language. These classes were not my first exposure to the Potawatomi language and I am so thrilled with this opportunity. In so many cases, when a tribe loses their culture, their traditions, and their language, they become extinct.

A special blessing and heartfelt thanks, to our elders, Bud Onzawah, Walter Cooper, Tony Levier, Frank Bush, Albert Maars and Ruby Page — "Thank You" for your kindness and patience, and sharing your knowledge of the Potawatomi language.

After all the tribal activities, I still had time to visit with some of my family who live in the Shawnee, Asher, Ada and Wanette communities. I was deeply saddened to hear about the passing of my cousin Mary Jo Stubbs of Oklahoma City and of my aunt Alice LaReau Vaughn of Shawnee and Wanette. My sincere condolences to their immediate families. I also send condolences to the Vern Motley family and to the "Pat" Umshied family.

I continue to send out information regarding membership applications, tribal scholarship applications, health benefits. I've also received notice that the Denver Regional will be held mid-October. The

date needs to be confirmed but be looking for your invitation soon.

I am honored to be asked to have a ribbonwork display at the Koelbel Library, celebrating Native American Heritage for the month of November. I'll update as time progresses.

The worst things about going to Oklahoma at the end of June for council and PowWow:

- The HEAT and HUMIDITY,
- The yearly DROUGHT, FLOOD, or TORNADO,
- Not enough hours in the day to do all the visiting you want to do, do all the research you want to do, visit all the places you want to visit, etc. etc. etc.

But you can count on:

- That little breeze right after dark,
- It'll rain the week AFTER you leave for home,
- In six weeks you'll be planning next year's trip.

I've recently received some important information regarding the Native American vote for the primary and general elections. The Democrat and Republican parties have Native representatives calling and sending information encouraging the "NATIVE VOTE." Regardless of your political affiliation, we as Indian people need to come together and make our voices heard. We can no longer sit back and watch. This includes our own tribal elections as well. I was always taught that "When it comes to poli-tick-n, you ain't got no right to gripe, if'n yer not gonna vote. It's yer duty!"

Don't forget your roots. Combine your gifts from God. Carry on.

**Penny Bishop**

## Southern California

**Jeremy Bertrand Finch**

**Bourzho from Pasadena!**

Well, not exactly.

This month, I'm writing to you from Auburn, California. It's a small town nestled in the mountains between Sacramento and beautiful Lake Tahoe. I'm here visiting my brother, Thom Finks, and his family before the last of summer slips away. He owns and operates Sundance Computers, a 100% American Indian owned business. He's also one of our tribal members who is involved in an advisory capacity with our ascendancy to the internet. For those of you who haven't yet seen the Potawatomi home page, you should log on and check it out at <http://www.potawatomi.org>. Thom can also give you expert advice on all aspects of computer life, so call him if you need help.

Our Northern California tribal representative, Jennifer Porter, has seized the initiative and arranged a Potawatomi picnic up here in Auburn on August 24. Congrats to her and all who

support such efforts to get something together at the local level besides the Regional Council Meetings. I know that Washington State is terrific in that way, and has a dedicated tribal membership up there.

The date for our next Southern California Regional is in late January. Let me know what you think should be included/excluded. Menu suggestions are also welcome.

Finally, I have heard your opinions loud and clear about our election process. Thanks for all your input. I have passed on your observations, especially about late arriving requests for absentee ballots. With the added emphasis on getting out the vote, I feel confident that we'll have a more efficient election process. I'll keep you posted about any changes that I hear about, and I'm sure it will be thoroughly covered here in our excellent newspaper.

**Jeremy Bertrand Finch**



# REGIONAL REPORTS

## Bozho from Seattle!

I begin this column with warmest thanks to Yvonne and David Kolloen, to Yvonne's brother Michael and their mother Merlene for all the work, which made our picnic at Manchester such a success this year! The salmon and crab were delicious, the corn sweet and tender. Michael does beautiful art work, three items of which he donated as prizes, while Yvonne's delicate dreamcatchers and David's medicine wheels were outstanding. They are all to be commended for their skill.

I thank all of you who came — all of the food was great, and so very plentiful. No one could complain of leaving hungry! Yvonne is already planning next year's picnic (the horseshoes will be back, I've heard, so practice up). No one was more surprised than I when I made that ringer, so I'm ready to get some good competition going.

I forgot to mention one little thing: the women won! WAY TO GO, LADIES! I still have a couple of items which were left behind so check around and if you're missing something call me. By the way, Michael is scheduled for knee replacement surgery, which should be completed by the time you read this. Please pray for a speedy recovery for him.

I am making contact with a Potawatomi speaker who lives in our area to see if he would be willing to

## Washington State

Susan Campbell

work with us and teach us the language. Some of you have met Bill Moore; he has been to several of our regional meetings. When I was in Shawnee, Bill's name kept coming up as a special resource person for us. So don't give up on the idea of language classes. I'm working hard to get them to happen. If you're interested, call me and let me know — and share your ideas about meeting place, frequency of classes, what would help you regarding the lessons. I do have copies of the language survey forms and will be contacting those of you who filled them out when I have more concrete information regarding lessons.

Seattle Indian Health Board is offering a program for pregnant women called Beautiful Babies. Prenatal visits are included along with various support services and referrals for housing, childcare and transportation. Parenting classes are also available. Mothers who complete the 12 week program will receive a gift. Childbirth Education Classes held on Thursdays from 12:30 to 1:30,

are open to all expectant mothers in need who live in King county. For more information contact Lark Sims at Seattle Indian Health Board, 611 - 12th Ave. S., P.O. box 3364, Seattle 98114-3364 or call at 206-324-9360, ext. 600.

The Seattle Indian community was shocked and saddened by the sudden death of Robert Eaglestaff, the principal of Indian Heritage High School (where we held our Regional a couple of years ago). I'd met Bob a number of times and admired him greatly. He took a school known as a last stop for Indian kids and made it a quality program with a waiting list of potential students. The June 1996 graduates were all accepted in a college or university for fall quarter, an amazing achievement! This spring the school received its credentials to become K-12, while Bob completed the work for his doctorate. A Lakota, he was 43 when he died of a heart attack during the last dance at the Nez Perce powwow in Oregon in mid-July. We will all miss him very much.

*"O God, be kind to those who want maturity but must go through the pangs of growing. Be patient with those who wish to say a word of kindness but find it hard. And support those who wish to live honorably but are weak when their chances come."*

Prayers From An Island  
Richard Wong

Susan Campbell

## South Texas

Lu Ellis

### Bourzho, Ne Je Na?

July was a hot dry month down here, and August looks as if it will be the same. We had only one and three-fourths inches of rain in July; none so far in August. That is about a foot below normal. I don't remember feeling the heat as much as I have this year. And with less humidity, it should be easier to deal with. Not so.

But it is not keeping me from working. I have several pages done in the Potawatomi alphabet book, and am working on a large oil painting of a grass dancer we met up in Indiana. He was awesome, and the painting will be a good work, I believe.

John has been doing some photography for the Alabama-Coushattas. They finally won the long, trying, expensive lawsuit against the feds, for not protecting their lands here from the whites back in 1845, and now the government owes them for about twelve Texas counties, about 3.2 million acres, if memory serves, and usage. (The revenue from the oil, gas, lumber, etc. over 150 years!) Now they are trying to decide just how much money that is. That will take a little while; the feds will do their best to stall a decision and a payoff. We were happy to learn of their victory in the courts, and we wish them well as they continue the negotiations.

I have moved all of my art to the Old Town Albuquerque Gallery that Stella Naranjo owns, and am working towards

a major one person show out there. She chose to close the Houston Gallery; she got tired of running back and forth between them, and she has family and a home in Albuquerque, so it was a logical move. It will be interesting to see how the Woodlands art does in a Southwest art environment.

We thought we might get back to Oklahoma for the Youth Encampment at St. Crispin's, but decided we should stay home and work, so we could pay this outrageous light bill instead. Being a creature of habit, I am addicted to air conditioning, and the 90+ days call for a lot of that.

Several of our tribal members have had to deal with illness and surgery this summer. We hear that they are recover-

September is just around the corner and summer should be coming to an end. When September comes, football can't be far behind. This summer here in Northern Texas has been exceptionally hot and dry. From this combination came some of the most beautiful blooms on our crepe myrtles and other blooming plants that I have ever seen. As is usually the case, you give up one thing and gain something that is as good or better. Our God and his control over nature evens things out.

I have been taking two of my grandchildren to the Inter-Tribal Center for dental work (another one already goes

ing well, but want to say, we remember all of you when we put our tobacco down, and will continue to do so. Among those we pray for are Mrs. Rocky Barrett and Mrs. Norman Kiker, wives of our Tribal Chairman and Chaplain.

Ray Herndon called to tell us he and Sue had a great time in Northern California, and are now safely home from their extended travels. It was sure good to hear from him.

We have one new baby in the family this month. My nephew and his wife, Drew and Tammy Whipple up in Canyon, TX, have a new baby boy. I've sent them enrollment papers already!

Remember the American Indian Chamber of Commerce meets on the third Wednesday of every month, at 6:30 pm at

the Red Cross Building, 2700 SW Freeway, \$5 for members and non-members.

The 34th Annual national Championship Pow-Wow at Trader's Village in Grand Prairie, TX is Sept 6-8. Call (214) 647-2331 for more information.

The 7th Annual American Indian Arts Festival and Market at Addison, TX is Oct. 25-27. For more information, call the AIC at (214) 891-9640.

Aug. 17th, Sept. 21st, Oct 19th, Nov. 16th, and Dec. 7th are Trade Days at the Alabama-Coushatta Reservation. Call (409) 563-4391 for more information about that.

Be good to yourselves, take care of Mother Earth and each other.

Pa Ma Me Na

Lu Ellis

## North Texas

Marjorie Hobdy

there). It's a slow process and it takes time and patience. Everyone there has been very nice and they are doing a good and thorough job. So, remember, if you need health or dental care, it's available at the

Inter-tribal Center. Their phone number is (214) 941-1050 or metro number (214) 263-0313.

A new school year also is upon us. My grandchildren started at different times throughout the month of August up to Labor Day.

Late September I will be going to my 50 high school class reunion. I'm one of those "young" students who started to college with the returning veterans from World War II. It was an interesting time, overflowing classes and not enough textbooks. Let me hear from you if I can help.

Marjorie Hobdy



# REGIONAL REPORTS

## Oregon/Idaho

**Bourzho Ne Kan,**

Ne-Je-Naw (how are you — sounds like knee-gee-naw). Still working on the language.

This Northwest is the most beautiful place to live in, and although I have a wonderful time every year that I attend the meetings and Pow-Wow in Shawnee, I am always grateful to get back to the west coast, where I have the mountains on one side of me and the ocean on the other.

During our two weeks when it was hot in the Valley, I simply went fishing at Ten Mile Lake. Caught some fish, cooled off and spent some special time with tribal member Mary Buchwald and her husband Ron. Mary is a descendant of the Tescier and Greemore families and is related to our Potawatomi Princess, Ginger Schmidtkoer in Shawnee ... and Mary is a real good cook too!

The U.S. Postal Service has issued five 32-cent American Indian Dance Commemorative Stamps nationwide. The five dancers represented on the stamps are the Hoop, Fancy and Traditional dances performed at pow-wows, the Raven dance, performed by a number of Northwest coast tribes, and the Butterfly dance, performed by the Southwest Pueblo groups. For those of you that collect stamps don't miss these.

The Song Basket Market Place, which opened in June at Grand Ronde, has mentioned they take art pieces on consignment. If you are a Native American Artist and looking for a place to show and sell your work contact Shawn at the Small Business Development-9615 Grand Ronde Road, Grand Ronde, OR 97347 or call 503-879-2476 or 1-800-422-0232, ext 2476. A \$25 one time application fee is required and Sam Henny will preview your items. All must be hand made, with the emphasis on Native American culture.

For current job openings at the casino, restaurant and other areas, call the Job Information hotline in Grand Ronde, 1-800-760-7977 ext 3744.

**Bourzho Nicone Ne je na?**

The old saying "My, how time flies when you're having fun" is certainly true. I think it all started with my hot air balloon ride and my head didn't get out of the sky until a week later when I looked at my notes and said "Whoops, it's too late." I am sorry I missed last month. Please forgive.

Have any of you ever gone for a balloon ride over the desert at sunrise? I do recommend it. Floating like a feather in the sky, the soft, warm desert winds blowing around you, and the sun coming up behind the mountains, it is a picture that

Pow-wows are still going on nearly every weekend. Here are some you may be interested in:

Sept 14-15 — Honoring Our Relatives Pow-Wow, Winston, OR or call (541)474-6394  
Sept 28-29 — Celebrating Traditions-Alton Baker

**Bourzho!**

By the time you read this, many of us will be frantically buying school clothes and supplies. We will try to decide what we will volunteer for this year and how much time we can realistically spare for these tasks. Of course, this is on the elementary school level.

One thing I have done in my son's classes (this year in fourth grade) is to be involved in a program called FAME — Fine Arts and Music Experience. Each month I introduce a composer and an artist and try to give them an appreciation and experience in these areas. I have also tried to integrate information on cultures, since art and music directly relate to them. Zach's classes have been very diverse — Japanese, Chinese, Korean, Vietnamese, Mexican, African American, to name a few — so it is important to me to include

**Bourzho from Kansas City,**

It certainly has been a blessing from Shamnido for the beautiful and pleasant summer we've had this year. I hope everyone's summer has been fun so far.

I previously talked about having a picnic for our region in September. Due to lack of interest and volunteers, I'm sorry to say there will not be a picnic scheduled for this year. I would like to thank Jay Lene Brollier and Peggy Kinder for offering their support and interest in this endeavor. At this point I believe the best thing to do is wait and see if interest can be generated next year and we'll try again.

The language classes will still be offered for anyone wanting to learn. I have pledged my support and commitment to Norman Kiker on the language education

## Southwest

**Philonese Williams**

would be hard to capture on canvas.

I thoroughly enjoyed pow-wow as usual. It is always good to go home and see old friends, and make new ones. I had a special treat to meet another Philonise; there are not many of us. We had two great evenings of visiting. I hope to see her again next year.

PK, Eugene, OR or call (541)687-3489  
Oct 25-2 — Mid Columbia River PowWow, Celilo Longhouse or call (509)865-5121

Remember, I am here to help you when I can. Give me a call at 1-800-522-3744. If the machine picks up your call, be sure to leave your message and phone number;

## Northern California

**Jennifer J. Porter**

our Native American culture as well.

It has been a rich experience. The reason I mention this is to express my hope that you will learn and involve your children and grandchildren in our culture. I did not grow up in the traditional Indian way, so I am a babe myself in trying to learn what I can and share same.

While I was busy with plans for our picnic, various requests for information regarding health benefits, job training opportunities, and scholarships came in regularly. Please remember that if some-

## Midwest

**Maryann Welch-Frank**

for our tribe. I feel this is a necessary and vital project for all of us. Due to the fact we write this article a month in advance, hopefully the classes will have already been arranged by now.

Just a reminder, when you send in your enrollment forms to be processed, keep in mind it could take up to eight weeks before you get your card back. Please double check your forms and make sure it is completely filled out and signed with the necessary documents sent in with it.

I would also like to give this address

I want to thank the Business Committee and all the people who work so hard for us all year long, for the warm welcome, hospitality, caring. Also thanks to Esther and her crew for the great time at pow-wow; a lot of time and effort goes into something like that.

We had some language classes while we were there, not enough to really speak the language, just enough to whet the appetite. Norman assures us, though, we will be getting more to study. If any of you are interested in forming a class in the near future please give me a call or write a letter. We really need to get on this for

**Roscoe 'Rocky' Baptiste**

I'll call you back. Until then, Pa ma me (sometime later).

Megwich (thank you),

**Rocky Baptiste**

*A person's true character is revealed by what he does when no one is watching.*

thing hasn't gone right after I've given you information. It will help me to know it, so that I can assist you further. If one path isn't the right one, let's work together to find another.

Here are a few events for your calendar.

**September:**

13-15 — American Indian Center of Central CA - Precious Sunset PowWow-Bass Lake (209)855-2705

14th — American Indian Center of Santa Clara Vly - Indian Summer Festival - Spartan Stadium San Jose, (408)971-9622

15-21 — Pine Nut Festival - Walker River Reservation-Schurz, NV (702)773-2306

21-22 — Zuni Fetish Show - Gathering Tribes-Berkeley, (510) 528-9038

22-28 — American Indian Week

27-29 — American Indian Days Celebration - Porterville, (209)781-4271

Pa ma!

**Jennifer Porter**

again for those of you who do not have it: Haskell Indian Nations Clinic, 2415 Massachusetts Ave., Lawrence, KS 66011. Primary medical services provided: family practice, alcohol/drug abuse and dental. For appointments and additional services offered call them at (913)843-3750. Keep in mind that your first visit for dental is usually an evaluation, unless it is an emergency. They will schedule you to come back for any additional work. Please remember to always take your tribal enrollment card with you.

**Upcoming PowWows:**

September 13, 14, & 15 — Moberly, MO Fairgrounds

September 21 & 22 — Eastern Band of Shawnee Pow-Wow, Seneca, MO

Megwetch,

**Maryann Welch-Frank**

ourselves, our children and our future generations.

My phone isn't ringing. I am still here waiting to hear from you. I am still wavering about trying to have a gathering at the end of summer. The expense is great, and the turnout very minimal (like perhaps six or eight out of four hundred invites). Please let me know your feelings and always remember:

When your down and out, lift up your head and SMILE. Life is wonderful ... do your best not to miss it!

Pa ma me ma,

**Philonise Williams**



# TRIBAL TRACTS

## Summer programs wind up as school year begins

A variety of summer activities kept Potawatomi youth and staff busy this summer. Here are reports from two of them:

### SUMMER YOUTH

The 1996 Summer Youth Program ended August 2 for Classroom Training and Work Experience Participants. A recognition luncheon was held on August 1 in the Potawatomi Nation Long Room for youth ages 16-21 and their supervisors. A cook out at the golf course pavilion was hosted on August 2 for the second classroom training group.

This year the Summer Youth Employment and Training Program served 71 youth ages 14-16 in the classroom training activity which consisted of four classes for four weeks.

The program provided 73

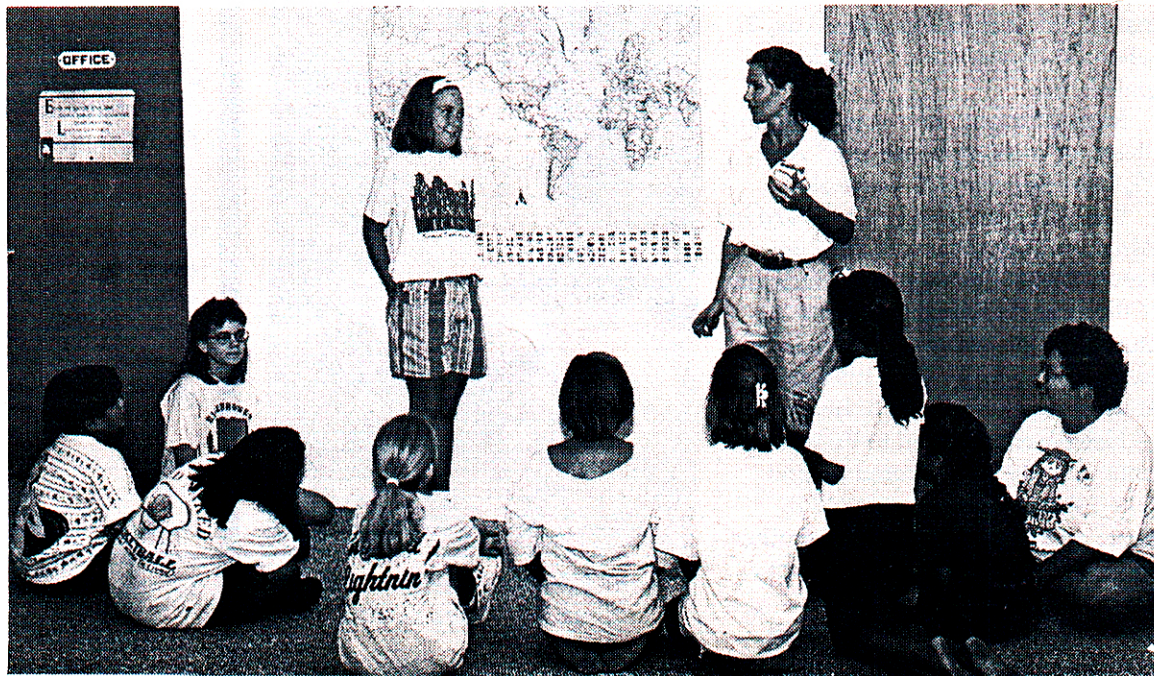
youth ages 17-21 with jobs at various worksites in several counties for eight to ten weeks. Many of the youth learned skills that will help them find employment next summer.

### PREVENTION PROGRAM

By SHIRL HUBERT

Community and Family Services held its annual Summer Prevention Program July 29th-August 2nd. The program was held at the Calvary Baptist Church in Shawnee. Approximately 25 children attended the program, which focused on children from first grade through sixth grade. Classes are divided by grade levels.

We believe children should have fun while learning about life skills. In our program we focus on building self-esteem, problem solving, peer pressure, coping with divorce, death etc.



Shirl Hubert, standing at right, leads students and parents in an activity on Parent Day

Activities included arts and crafts, outdoor games, parent day, and a field trip to Sulfur. The program has been a great success

throughout the years, and we are continuing to add to the program each year. If you have any questions concerning the children pro-

grams provided by the Prevention Program please contact Shirl Hubert (405) 878-4832.

## Tribe's web page is out there for all the world to see

By Gloria Trotter

The Potawatomi tribe has a new address — one that is sending images of leaders, pow wow dances and even the Potawatomi language all over the world.

The address is <http://www.potawatomi.org>, and if you're a 'Net surfer, you've probably already found it. Those are the magic letters you type into your Web browser to connect you with the Citizen Potawatomi Nation's Home Page — its presence on the wildly popular, quickly growing Internet.

For those of you who aren't yet computer-literate, the Internet is a network of computers that spans the entire world, allowing those with a computer, modem and phone line to contact another computer "on-line," anytime, anywhere. It is through the Internet that you can send "e-mail" messages — sort of a written telephone call — as well as "browse" through "web pages" or "home pages" like the one the tribe is currently building.

The Potawatomi home page, like many out there on the World Wide Web (yes, that's

the "www" in the "address"), is "under construction." When you visit the page, you will learn that it is only eight percent complete, but unlike a house under construction, the "rooms" that are finished are pretty much done, while other areas aren't there at all — yet.

But tribal members should feel a rush of pride when the tribal seal, in full color, appears on their computer screens. And those who missed the annual Potawatomi Pow-Wow last June can enjoy from afar several color photographs of the event now a part of the page.

All this is the work of the tribe's computer guru Buck Wynne with a big assist from Kit Colbert, 16-year-old son of Tribal Administrator J.D. Colbert. A computer guru in his own right, the younger Colbert spent most of the summer working on the tribe's Web page.

When you first call up the tribe's Web page, your computer screen will fill with the seal and with some instructions about the other things available. That first screen is just the first of several "pages" you can access through "links" which show up on your screen in color (blue or purple). For instance,

when you click on the words "executive summary," black and white photos of the members of Business Committee along with Colbert and Deputy Administrator Bob Trousdale appear on your screen.

If you click on Chairman John A. Barrett's name, up pops a bigger version of the photo and a biographical sketch, also available for each of the six others. Some linked areas are not yet ready, like the events/activities link, but the tribal programs link can take you to several areas of tribal government and enterprises. If you click on language and culture, you will quickly learn a little about the Graves Repatriation Act and can read an appeal to find those who speak Potawatomi fluently. You can even sample a few words in Potawatomi.

Annual reports prepared for the May issue of the HowNiKan have been added to the home page so that those interested in learning more about the tribe have only to point their mice at any department.

Although this is the first public announcement of the home page, there have already been many "visitors" to the Web site. In fact, there have

been so many e-mail requests for genealogical information that Wynne has set up a separate e-mail address for those queries: [historian@potawatomi.org](mailto:historian@potawatomi.org). Another address for those with questions about tribal culture will soon be added, Wynne said. "We average 10-12 requests for information each week," he said, "and almost all are about genealogy or culture — like body painting and ceremonies."

Somewhat surprisingly, most questions are not from tribal members, although they are Native Americans. "We try to refer them to the right tribe to get the information they want," Wynne said.

Others who have questions about the tribe or its home page are invited to write care of [webmaster@potawatomi.org](mailto:webmaster@potawatomi.org). Eventually, the page will include a guest book where those visiting will be asked to leave their names.

Tribal officials envision a multitude of applications for the home page and its related computer communication system. Requests for information, articles for the HowNiKan, communication with the regional offices — these are

only a few ways tribal members and employees will benefit from the rapidly building wave of electronic communication.

Many people learn to love the computer by playing games on it, and Wynne is aware of that appeal. "We have brought a game server on line," he said. "With new technology in games these days, there are multi-player, interactive games that can be played with others around the world. Currently we have a server on line for Quake, which is the hot new game on the Internet." He said it will be integrated into the web page within the next month or so.

And it won't be long until you can buy your pow-wow T-shirt by computer. "We intend to turn this into a commerce server to utilize for point of sale for both the museum and convenience store," Wynne said. "Hopefully this could end up in establishing some international trade for us."

Wynne is anxious to hear from tribal members through the home page. Anyone who would like to submit an article for the HowNiKan, who has a question or just wants to offer comments should contact him at the webmaster address listed above.



# TRIBAL TRACTS

## Oldest tribal member walks on

The Citizen Potawatomi Nation lost its oldest tribal member Aug. 22 when Edith Madeline O'Bright walked on.

Miss O'Bright, who was living in a Shawnee nursing home, died Aug. 22, 1996. She was 102 years old.

She was born during a blizzard in Alma, Kansas, on Jan. 8, 1894, to Lewis Daniel Franklin and Madeline (Cummings) O'Bright. Despite the storm, her uncle went for the doctor, his eyes frozen shut but his reins around the saddlehorn of his horse.

Her parents moved to Pottawatomie County in a covered wagon when she was three years old to settle on a piece of land. Her mother died only a few years later, when Edith was eight. She became a boarding student at Sacred Heart, spending summers at home with her family.

At her 100th birthday celebration, "Aunt Edie" recalled learning to prepare meals in the kitchen at Sacred Heart, under the tutelage of a Sister fresh from Ireland, who would tell her "Adie O'Brit, pale those potatos and quit your talkin'!"

Long active at the Potawatomi Nutrition Center, she enjoyed playing dominos there. Aunt Edie celebrated her 100th birthday by



*Aunt Edie and friend at 100th birthday party in 1994*

taking a ride in a small airplane with Bob O'Connor. Dozens of people attended the birthday celebration at the tribal nutrition center the next day.

Miss O'Bright was a member of St. Benedict Catholic Church. A vigil and rosary were held Aug. 25 at the Roesch-Walker Funeral Chapel, and the Mass of Christian Burial at the church Aug. 26 with the Rev. Charles Massoth, OSB, officiating. Burial followed in Fairview Cemetery.

## Engaged

Sherida Taylor of Shawnee and Roger and Rhonda Barnett of Weatherford announce the engagement of their daughter, Amber Diane Barnett of Shawnee, to Nobbie Joe Lowden Jr. of St. Louis, Oklahoma. He is the son of Nobbie and Esther Lowden of St. Louis. They plan to be married Saturday, Oct. 5, at the Potawatomi Pow-Wow Grounds. The bride-elect is employed at the Citizen Potawatomi Nation tribal office. The groom-elect is a tribal member and a descendent of the Peter Curley family of Sacred Heart. A 1995 graduate of Southwestern State University, he is now employed at Bethel Public Schools where he is assistant coach and math teacher.



## November pageant will pick 1997 Potawatomi Princess

Young Potawatomi women ages 14-21 are invited to compete for the title "Potawatomi Princess" in a pageant set for November.

Pow-wow coordinator Esther Lowden said the pageant, a system used by other tribes, will be held on the evening of Nov. 29, in the Long Room at tribal headquarters. The girl who is selected as the pow wow princess will reign during 1997, with a successor chosen at a November 1997 pageant.

In addition to reigning at the Potawatomi Pow-Wow, the princess will represent the tribe at other functions, such as Red Earth, as her schedule permits. Ginger Schmidtkofer, princess for the past few years, has presented a

number of school programs as well as appearing at pow-wows throughout the area.

Lowden will begin a series of classes for younger Potawatomi girls — and their mothers — designed to get them more involved in tribal traditions. "We'll teach them how to dance, how to wear shawls, about colors and pow-wow protocol," Lowden said. More details about the classes will be announced in next month's HowNiKan.

Young women interested in competing in the Princess Pageant must apply by Oct. 25 by filling out the form below. For more information on the pageant or the classes, call Lowden at the tribal museum and gift shop.

## Citizen Potawatomi Nation Princess Pageant 1996-7

### APPLICATION

AGES: 14 - 21

NAME \_\_\_\_\_ AGE \_\_\_\_\_

INDIAN NAME \_\_\_\_\_

ENGLISH MEANING \_\_\_\_\_

DATE OF BIRTH \_\_\_\_\_ TRIBE \_\_\_\_\_

CURRENT ADDRESS \_\_\_\_\_

FATHERS NAME \_\_\_\_\_

MOTHERS NAME \_\_\_\_\_

### SPECIFY TALENT TO BE PERFORMED DURING THE PAGEANT

TRADITIONAL TALENT \_\_\_\_\_

MODERN TALENT \_\_\_\_\_

WHAT INSPIRED YOU TO ENTER THE CITIZEN POTAWATOMI NATION PRINCESS CONTEST: \_\_\_\_\_

A PHOTOGRAPH OF CONTESTANT IS REQUIRED IN ORDER TO COMPLETE THIS APPLICATION. PHOTO WILL BE RETURNED UPON REQUEST.

GRADE IN SCHOOL: \_\_\_\_\_ COLLEGE: \_\_\_\_\_

SCHOOL ACHIEVEMENTS: \_\_\_\_\_  
OTHER ACHIEVEMENTS (AWARDS, HONORS, ETC.) \_\_\_\_\_

RETURN TO ESTHER LOWDEN AT TRIBAL HEADQUARTERS

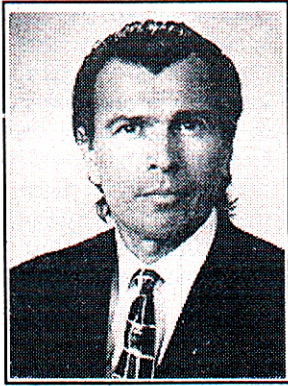


# TRIBAL TRACTS

## Changes coming in Regional Council meetings

Since the inception of the regional council meetings in 1985, it has been the hope and intent that these meetings would serve to bring the elected representatives of your tribal government and tribal administration to an area near you for discussion of business matters as well as for cultural and family gatherings. In that regard these meetings have been well received by the tribal membership and eagerly anticipated in the regions.

As summer turns to fall, we once again begin the schedule of regional council meetings. The first one on the calendar during this round of meetings will be held in Denver on October 19th with a location to be announced later.



### FROM THE ADMINISTRATOR

*By J.D. Colbert*

Elsewhere in this issue you will find a complete schedule of the regional meetings for 1996-97. Please place the appropriate date on your calendar and make plans to attend the regional

meeting in your area. You may contact the regional representative in your area for further details.

This year we plan to make several changes in both the format and content of these meetings. The anticipated changes are designed to facilitate greater exchange of information as well as to elicit more audience participation in the meetings. We expect to shorten the time frame of the meetings to conclude by early afternoon so that those participants who have to drive a long distance can return home at a reasonable hour.

Norman Kiker, Director of Language and Cultural Affairs, has been put in charge of developing a related program directed at school-age children that would run concurrent with the regional

meetings. Among other things, we hope to offer some language and cultural activities for the children as well as perhaps some traditional Potawatomi crafts activities. Norman is in the process of developing these activities and would welcome your advice, comments and suggestions.

At each regional council meeting, we will be asking each eligible voting member to fill out a request for an absentee vote form with respect to the June, 1997 election. Many of you are aware of the very low number of tribal members who voted in the last election. The level of participation by tribal members in the elections of the tribe as well as other tribal business matters is a great concern of the Business Committee and tribal administration. It is our hope that through this early registration process that we can ensure greater participation in the elections and other matters.

Accordingly, I would again request that each of you please make plans now to attend the regional council meeting in your area. We need your active voice in governing the various matters affecting the tribe. We need your presence to help make a success of the regional council meetings. Please come and join us.

### 1996-97

#### REGIONAL COUNCIL MEETINGS

Oct. 19, 1996 .....	Denver
Nov. 9, 1996 .....	Dallas
Jan. 18, 1997 .....	Southern California
Feb. 8, 1997 .....	Phoenix
March 8, 1997 ...	Northern California
March 22, 1997 .....	Houston
April 19, 1997 .....	Seattle
April 20, 1997 .....	Portland
May 17, 1997 .....	Kansas City

### 1997 NATIVE AMERICAN

# CALENDARS

**\$3<sup>85</sup>** OR 2 FOR **\$6<sup>50</sup>**

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## BUSINESS OPPORTUNITY

The Citizen Potawatomi Nation will evaluate any offer from its members who wish to bring a business opportunity to the Tribe which can benefit from Minority Status under Section 8(a) of the Small Business Administration. The conditions under which the business would operate must be:

1. The business must be owned 100% by the Citizen Potawatomi Nation.
2. The Board of Directors of the company must be controlled by the Business Committee of the Citizen Potawatomi Nation.
3. All activities including staffing, marketing, equipment, work space will be provided by the member with the proposal.
4. Adequate working capital must be provided by the member with the proposal.
5. All proceeds of sales will go into a "lock box" distribution account at First National Bank, Shawnee, Oklahoma, with payments made from this account to pay (1) all suppliers and accounts payable, (2) a Citizen Potawatomi Nation percentage of the gross margin, and then (3) the balance is paid to the tribal member.
6. The business must be of a type that is complimentary to the public image of the Citizen Potawatomi Nation.

Please submit all offers which conform to the above standards to J.D. Colbert, Tribal Administrator, Citizen Potawatomi Nation. This offer is made to Citizen Potawatomi Nation members only.



# Barrett asks U.S. Attorney to sue the State of Oklahoma

Continued from page 1

used' to the architect, we know that they had purchased no materials and incurred no costs as a result of this specification change. C&L then sued for arbitration in the Oklahoma courts. The tribe was in a dilemma. If we appeared at the arbitration hearing, our actions imply that we waive sovereign immunity from suits in Oklahoma court, so we don't appear.

"The Oklahoma court grants a judgment against us seizing \$28,000 in tribal cash. We file a motion in Oklahoma district court that we are immune from suit in state court. It is denied and is now pending appeal to the Oklahoma Supreme Court. In addition, we file a motion in federal Judge Ralph Thompson's court

to remove the case from the Oklahoma courts. Judge Thompson erroneously ruled that the original AIA sub-contract form somehow constituted a "waiver of sovereign immunity from suit in Oklahoma court" and remanded the case back to Oklahoma court. Judge Thompson's decision is now under appeal to the U.S. Tenth Circuit Court of Appeals in Denver.

"While all this is going on, the Oklahoma judge grants a garnishment for \$28,000 against First National Bank, the tribe's bank. The tribe was forced to post a bond to prevent the garnishment pending the decision of the Tenth Circuit and the Oklahoma Supreme Court.

"The worst part of this mess is that it is one of a sequence of cases

where the Oklahoma courts are acting contrary to the U.S. Constitution," Barrett said. "In fact, the Oklahoma courts are acting contrary to the Oklahoma Constitution that says, in Article 2, Oklahoma shall not have jurisdiction over Indian land. First National Bank is on Indian land."

Barrett recently appealed to the U.S. Attorney, Pat Ryan, to sue the State of Oklahoma for "threatening the very existence of Indian tribes in Oklahoma because of opinions promulgated by the Oklahoma Supreme Court." In lawsuits involving the Kiowa, Comanche, Apache, Sac & Fox, Seneca-Cayuga and the Citizen Potawatomi, the state has ruled it has jurisdiction over Indian commerce, he said.

The dissenting Oklahoma Su-

preme Court judge in the Kiowa case said, "I dissent because the majority opinion contravenes the mainstream of contemporary sovereign immunity jurisprudence ... the majority of jurisdictions (including all the federal ones) which have been faced with this question have held that regardless of whether the business activities occur in or out of Indian Country, tribal sovereign immunity remains in place unless expressly waived by the tribe." Justice Summers goes on to say that this must be an "express waiver."

"U.S. Judge Thompson is, in my opinion, clearly in error," Barrett said, "in saying that the piddly little arbitration clause in a standard AIA sub-contract form constitutes an express waiver of sovereign immunity from suit.

This takes a full tribal resolution. It cannot be implied."

Barrett recently contacted members of the Oklahoma Legislature to seek relief for the tribe. Although the Legislature has demonstrated some degree of anti-Indian sentiment in the past, Barrett believes that the Legislature will view the actions of the court as an attempt to usurp the legislative process by judicial ruling. "The Oklahoma Legislature should fight this at every opportunity," the chairman said.

The Business Committee, at its August 22 meeting, decided to commit every available tribal resource to the fight. Committee-man Hilton Melot said the legal battle is "The Wounded Knee massacre all over again, except in the courtroom."

## Pow-wow changes will emphasize tribal members

Part of the 1997 Potawatomi Pow-Wow will be given back to the Potawatomis, Business Committee members decided at their quarterly meeting August 22.

The 1996 version of the three-day, intertribal pow-wow drew a record number of dancers and spectators, and was an expensive and exhausting experience for the Potawatomi hosts. And Chairman John A. "Rocky" Barrett Jr. said that most frustrating to him was the lack of time to spend just visiting with tribal members in town for the weekend.

He suggested holding Friday night activities for tribal members only, and including some instruction in dance, arena protocol and other pow-wow pointers for the many tribal members who are unfamiliar with pow-wow protocol and are reluctant to enter the arena.

"We'll have a Potawatomi gathering," agreed pow-wow coordinator Esther Lowden. She proposed a simple meal of sandwiches and watermelon, followed by instruction on such things as the meaning of the shawl and how to wear it, jingle dress dancing, and more. This proposal was greeted with much enthusiasm by the Business Committee, which for many years has wanted an event especially for tribal members on pow-wow weekend.

The committee adopted several suggestions from Lowden about ways to pay for the pow-wow, including limiting the number of prizes for each event to three but leaving the prize money the same. The proposal was also made for Lowden to research the concept of returning to the

drum format of previous years where drum groups are invited in lieu of a drum contest. The drum groups will be two Northern and two Southern to provide a variety of music for the dancers.

Another change designed to hold audience interest and prevent evening activities from extending into the wee hours is moving give-aways to the afternoon during gourd dancing.

On another topic, tribal officials expressed concern that the current application for a Community Development Block Grant to the U.S. Housing and Urban Development (HUD) department for a health services clinic will be denied because the current head official in the Oklahoma City HUD office who is responsible for reviewing applications formerly headed the Absentee Shawnee Housing Authority (ASHA).

As reported in a story in an earlier HowNiKan, Barrett, former tribal chairman Leon Bruno and tribal attorney Michael Minnis met with that official several weeks ago about alleged discrimination at ASHA. Fears were expressed that these complaints and subsequent reactions to litigation between the Citizen Potawatomi Nation and the Bureau of Indian Affairs (BIA) concerning the Absentee Shawnees' "squatter status" on the Potawatomi reservation will result in some form of prejudicial treatment of the application for this important health facility.

Discussion turned to the operation of the new alcohol and drug abuse treatment

center operated by a group called the Native American Center of Recovery (NACOR). Out of concern for the effectiveness of NACOR, Vice Chairman Linda Capps asked tribal staff to present statistics detailing the effectiveness of the NACOR operation.

"It's essential that tribal facilities be used in the most effective manner to address the health needs of the Citizen Potawatomi," Barrett said. "Too often, those programs to which our tribe has historically controlled the majority of funding and facilities have ended up serving less Potawatomis than other Indians."

The rest of the Business Committee unanimously concurred that this basis for evaluation should be applied to all tribal programs.

Barrett detailed progress made in the Business Committee's quest for Small Business Administration Section 8(a) status for the tribal Oklahoma Indian Welfare Act corporation and its affiliates. The decision was made to offer participation to other tribal member-owned businesses who wish to utilize the benefits of participation in the tribe's 8(a) status. An ad appears elsewhere in this edition detailing the requirements for participation which necessarily must contain complete Business Committee control.

In other action at a six-hour meeting, the Business Committee:

- Tightened security on tribal documents at the suggestion of Secretary-Treasurer Gene Bruno.
- Voted to make the tribal headquarters building smoke-free. Part of their action included

instructions to add on a small room with separate heating and air conditioning on the east side of the building for use by smokers.

• Approved a system of color-coding resolutions and other official documents as proposed by Barrett. The committee also decided to retain the traditional tribal seal as is except for updating with the new

tribal name. Its use will primarily for official documents.

• Discussed the format for the upcoming series of regional councils. Barrett said tribal members have particularly asked for activities for children. "This won't be day care," he said, but might include a storyteller or crafts for children four years old and above.



## COURAGE.



As a young Marine Lieutenant in Vietnam, Darryl Roberts had the courage to lead men into battle. He was decorated for gallantry.

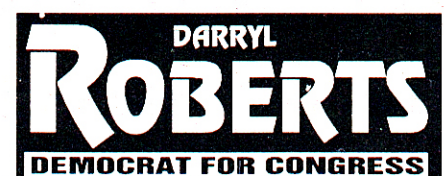
As a Prosecutor, Darryl Roberts had the courage to look criminals in the eye and convince juries to put them away.

As a State Senator, Darryl Roberts had the courage to fight for our children, senior citizens, veterans, farmers, ranchers, victims' rights and jobs in rural areas.

As our Congressman, Darryl Roberts will have the courage to stand up to Newt Gingrich and tell him our senior citizens and working families don't want to see Medicare slashed to give tax cuts to the rich.

## COURAGE.

What we need in a Congressman.



Published at the request of Darryl Roberts by the Citizen Potawatomi Nation